

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
THE IT GROUP, INC., <i>et al</i> ,)	Case No. 02-10118 (MFW)
)	
Debtors.)	Jointly Administered
)	
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IT LITIGATION TRUST,)	
)	
Plaintiff,)	Civ. A. No. 04-CV-1268 (KAJ)
)	
v.)	
)	
DANIEL A. D'ANIELLO, FRANCIS J. HARVEY,)	
JAMES C. MCGILL, RICHARD W. POGUE,)	
PHILLIP B. DOLAN, E. MARTIN GIBSON,)	
ROBERT F. PUGLIESE, CHARLES W.)	
SCHMIDT, JAMES DAVID WATKINS,)	
ANTHONY J. DeLUCA, HARRY J. SOOSE,)	
THE CARLYLE GROUP, THE CARLYLE)	
GROUP L.L.C., CARLYLE PARTNERS II, L.P.,)	
CARLYLE SBC PARTNERS II, L.P., CARLYLE)	
INTERNATIONAL PARTNERS II L.P.,)	
CARLYLE INTERNATIONAL PARTNERS III,)	
C/S INTERNATIONAL PARTNERS, CARLYLE)	
INVESTMENT GROUP, L.P., CARLYLE-IT)	
INTERNATIONAL PARTNERS, LP,)	
CARLYLE-IT INTERNATIONAL PARTNERS II,)	
L.P., CARLYLE-IT PARTNERS L.P.,)	
and T.C. GROUP, L.L.C.,)	
)	
Defendants.)	
)	

AGREED MOTION TO AMEND APRIL 5, 2005 SCHEDULING ORDER

Plaintiff The IT Litigation Trust (“Plaintiff”) and Defendants Daniel A. D’Aniello, Francis J. Harvey, James C. McGill, Richard W. Pogue, Phillip B. Dolan, E. Martin Gibson, Robert F. Pugliese, Charles W. Schmidt, James David Watkins, Anthony J. Deluca, The

Carlyle Group, The Carlyle Group L.L.C., Carlyle Partners II, L.P., Carlyle SBC Partners II, L.P., Carlyle International Partners II L.P., Carlyle International Partners III, C/S International Partners, Carlyle Investment Group, L.P., Carlyle-IT International Partners, LP, Carlyle-IT International Partners II, L.P., Carlyle-IT Partners L.P., and T.C. Group, L.L.C. (“Defendants”), pursuant to Local Rule 16.5 hereby move this Court for the entry of an Order amending the April 5, 2005 Scheduling Order (the “Scheduling Order”) as set forth herein. For the Court’s convenience, a proposed Order is attached herewith.

To date, the parties have engaged in document discovery and have begun scheduling depositions. There was some delay in discovery because IT is insolvent and there is pending litigation concerning coverage for the defense of this matter. *See Federal Insurance Company v. D’Aniello et al.*, Case No. Case 2:05-cv-00305-TFM (W.D. Pa.) (the “Coverage Action”). In light of this Defendants discussed with Plaintiff the fact that Defendants might seek a stay of discovery in this action until such issues were resolved. On July 12, 2006, one month and 3 days after Defendants first raised the issue of a possible stay, Defendants advised Plaintiff that they had reached an accommodation with the D&O insurance carriers for the advancement of fees and costs during the continued pendency of the coverage action, and that a stay of proceedings would not be necessary. Plaintiffs then asked for an extension of the discovery period on the ground that they had not moved forward with discovery after the possibility of a stay was put forward.

Given the development of this case, Plaintiff does not believe it will be able to complete discovery by the original deadline, and accordingly asked Defendants whether they would agree to a limited extension of the close of discovery and certain related deadlines. Defendants have agreed, and join in this Motion. The parties only seek to extend the

discovery cutoff date, the date for identification of experts and the date for filing dispositive motions. The parties do not anticipate that the requested extensions will affect the other dates set forth in the Scheduling Order, including the trial date.

Accordingly, Plaintiff and Defendants respectfully request that the Court amend the original Scheduling Order as follows:

3. Discovery

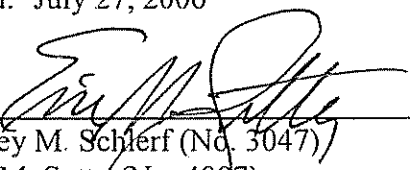
c. Discovery Cut Off. All discovery shall be completed on or before October 6, 2006.

d. Disclosure of Expert Testimony. Initial expert disclosures shall be made by all parties on or before September 1, 2006, and rebuttal expert disclosures shall be made by all parties on or before September 29, 2006.

9. Case Dispositive Motions. All case dispositive motions, an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before October 17, 2006.

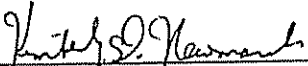
The Scheduling Order shall remain the same in all other respects.

Dated: July 27, 2006

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